

DISTRICT COURT (FIFTH DISTRICT : IRON COUNTY) [1690]

CRIMINAL CASE FILES, 1896-1956.

9 microfilm reels

DESCRIPTION: Case files are made up of the various documents filed with the Fifth District Court in Iron County pertaining to each specific case. The records usually contain information such as the case number, and the names of the defendants, counsel, jurors, and witnesses. The case file may include complaints, indictments, subpoenas, verdicts, warrants of arrest, execution or confinement, warrant returns, affidavits, orders, judgments, appeal notices. Files rarely include transcripts of testimony.

First, second, and third degree felony cases are the predominant case file type within this series (a major crime for which the maximum imprisonment is more than one year in a state correctional institution). This would include first degree offenses such as murder, rape, aggravated kidnapping, aggravated burglary and robbery, arson, and possession with intent to distribute drugs. Second degree offenses include: manslaughter, robbery, residential burglary, kidnapping, perjury, forgery, theft of property valued over \$1,000.00, forcible sexual abuse, and intentional child abuse. Third degree felonies include: burglary of non-dwellings, theft, aggravated assault, forgery, unlawful sexual intercourse, joyriding, possession with intent to distribute marijuana or cocaine, and false or forged prescriptions.

This series also contains misdemeanor cases which are punishable by a county jail term of up to one year and/or a fine. Misdemeanors include: negligent homicide, driving under the influence, theft, assault on a police officer, criminal mischief, resisting arrest, reckless driving, possession of marijuana, shoplifting, trespassing, and possession of a concealed weapon.

Juvenile cases tried prior to 1907 can also be found in this series. In 1907, a separate statewide juvenile court was established allowing juvenile court jurisdiction in all matters involving children 18 years of age and younger, including parents and guardians of juvenile

delinquents.

Missing cases should not be found in appellate court records since the Supreme Court is required by law [Rule 76 (d)] to remit their decision to the District Court "together with such papers transmitted to the Supreme Court on appeal." Furthermore, Rule 75 (n) states that after the appeal has been disposed of, any original papers should be returned to the custody of the district court. Cases which are appealed to the District Court from lower courts will be found in this series.

ARRANGEMENT: Case files are arranged numerically by case number.

RESEARCH NOTE: The court began renumbering case files in 1932. Between 1896 and 1932 researchers can expect to find case files 1 to 294. After case 294 the new renumbering system was implemented beginning with a new case 1.

RELATED RECORDS: Series 26629 , CRIMINAL REGISTERS OF ACTION, contain register entries for criminal cases between 1896 and 1990. Series 1390 , MINUTE BOOKS, contains brief minute book entries for court proceedings on any given day.

CUSTODY HISTORY: All case files created between 1896 and 1956 were transferred to the Utah State Archives in 2007. For access to case files post-1956 researchers should contact the clerk of the Fifth District Court in Iron County.

PROCESSING NOTE: This series was archivally processed by Jim Kichas and Emily Gurr in May 2008 as part of a NHPRC grant project designed to preserve the historic records of Utah's Fifth District Courts.

GAPS IN SERIES: Cases 6, 15, 19, 23, 24, 26, 27, 28, 32, 33, 34, 35, 37, 39, 44, 47, 58, 59, 60, 61, 64, 67, 68, 73, 94, 99, 149, 175, and 211, are missing from the original arrangement kept between 1896 and 1932. Cases 78, 94, 161, and 172 are missing from the renumbered arrangement kept after 1932.

PREFERRED CITATION: Cite the Utah State Archives and Records Service, the creating agency name, the series title, and the series number.

arrangement kept after 1932.

CONTAINER LIST

arrangement kept after 1932.

Reel	Description	Dates
1	Case Files: 1-65	1896-1912
2	Case Files:	1912-1921

Reel	Description	Dates
	66-140	
3	Case Files: 141-209	1921-1926
4	Case Files: 210-264	1926-1930
5	Case Files: 265-294	1930-1932
5	Case Files: 1-43	1932-1937
6	Case Files: 45-112	1937-1945
7	Case Files: 113-170	1945-1949
5	Case Files: 171-214	1949-1953
5	Case Files: 215-263	1953-1956